

JERRY S. BUSBY  
Nevada Bar #001107  
COOPER LEVENSON, P.A.  
6060 Elton Avenue – Suite A  
Las Vegas, Nevada 89107  
(702) 366-1125  
FAX: (702) 366-1857  
jbusby@cooperlevenson.com

Attorneys for Defendant  
SMITH'S FOOD & DRUG CENTERS, INC.

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

TOMMY SCOTT;

Plaintiff

CASE NO. 2:14-cv-00365-APG-NJK

vs.

SMITH'S FOOD & DRUG CENTERS,  
INC.; DOES I through X and ROE  
CORPORATIONS I through X, inclusive,

Defendants.

**STIPULATION AND ORDER TO LIMIT PLAINTIFF'S DAMAGES  
TO \$75,000 AND REMAND CASE TO STATE COURT**

WHEREAS Plaintiff has filed a Motion to Remand (Dkt. No. 4) this case to State Court contending that the amount in controversy in the above captioned litigation does not exceed the jurisdictional minimum for diversity jurisdiction of \$75,000.00, exclusive of interest and costs;

IT IS HEREBY STIPULATED AND AGREED by and between Robert L. English, Esq. of the law firm SEEGMILLER & ASSOCIATES on behalf of Plaintiff TOMMY SCOTT and Jerry S. Busby, Esq. of the law firm a COOPER LEVENSON, P.A. on behalf of Defendant SMITH'S FOOD & DRUG CENTERS, INC. that Plaintiff's recovery in this case shall be limited to \$75,000.00, or less, exclusive of interest and costs; and

///

///

///

///

1 IT IS FURTHER STIPULATED AND AGREED that inasmuch as the damages in this case  
2 are limited to \$75,000.00, or less, exclusive of interest and costs, that this case be remanded to  
3 Eighth Judicial District Court of the State of Nevada.

4 DATED this 21st day of April, 2014.

5 SEEGMILLER & ASSOCIATES


COOPER LEVENSON, P.A.

6  
7 /s/ Robert L. English  
8 ROBERT L. ENGLISH, ESQ.  
9 Nevada Bar No. 003504  
10 10655 Park Run Drive, #250  
11 Las Vegas, Nevada 89144  
12 (702) 966-7777  
13 Attorneys for Plaintiff  
14 TOMMY SCOTT

/s/ Jerry S. Busby  
JERRY S. BUSBY, ESQ.  
Nevada Bar No. 001107  
6060 Elton Avenue – Suite A  
Las Vegas, Nevada 89107  
(702) 366-1125  
Attorneys for Defendant  
SMITH'S FOOD & DRUG CENTERS, INC.

12 **ORDER**

13 IT IS SO ORDERED: This case is remanded to the Eighth Judicial District Court, Clark  
14 County, Nevada.

15  
16   
17 UNITED STATES DISTRICT JUDGE  
18 DATED: April 22, 2014  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28